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 16 of Executory Contract Rights through
 17 USA Commercial Mortgage Company

E-Filed On 5/26/06

10 **UNITED STATES BANKRUPTCY COURT**
 11 **FOR THE DISTRICT OF NEVADA**

12 In re:
 13 USA COMMERCIAL MORTGAGE COMPANY,
 14 Debtor.

Case Nos.:
 BK-S-06-10725-LBR
 BK-S-06-10726-LBR
 BK-S-06-10727-LBR
 BK-S-06-10728-LBR
 BK-S-06-10729-LBR

15 In re:
 16 USA CAPITAL REALTY ADVISORS, LLC,
 17 Debtor.

JOINTLY ADMINISTERED
 Chapter 11

18 In re:
 19 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
 20 Debtor.

21 In re:
 22 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 23 Debtor.

Date: N/A
 Time: N/A

24 In re:
 25 USA SECURITIES, LLC,
 Debtor.

Affects:
 All Debtors
 USA Commercial Mortgage Company
 USA Capital Realty Advisors, LLC
 USA Capital Diversified Trust Deed Fund, LLC
 USA Capital First Trust Deed Fund, LLC
 USA Securities, LLC

26 **NOTICE OF APPEARANCE, REQUEST FOR SPECIAL NOTICE AND**
 27 **DEMAND FOR COPIES OF ALL FILED PLANS AND DISCLOSURE STATEMENTS**
 28 **[Fed. R. Bankr. P. 9010(b), 2002 and 3017(a)]**

1 GREGORY E. GARMAN, ESQ., of the law firm of GORDON & SILVER, LTD.,
 2 attorneys for The Official Committee of Holders of Executory Contract Rights through USA
 3 Commercial Mortgage Company (“Claimant”), hereby makes its appearance on the record in the
 4 above-entitled bankruptcy case pursuant to Bankruptcy Rule 9010(b), and pursuant to
 5 Bankruptcy Rule 2002 and 3017(a), and hereby requests special notice of all hearings,
 6 applications, motions, contested matters, and adversary proceedings filed in this case, including
 7 copies of all notices, pleadings, papers, and other related materials that are issued or filed in
 8 connection with the case by the Court, Debtor, or other parties-in-interest, including copies of all
 9 plans of reorganization and disclosure statements. All responses to the foregoing, and, all
 10 notices required to be mailed to Claimant pursuant to Bankruptcy Rule 2002 should be directed
 11 to:

12 GREGORY E. GARMAN, ESQ.
 13 GORDON & SILVER, LTD.
 14 3960 Howard Hughes Parkway, 9th Fl.
 15 Las Vegas, Nevada 89109

16 Neither this paper nor any subsequent appearance, pleading, claim, proof of claim,
 17 document, suit, motion, nor any other writing or conduct, shall (i) expressly or impliedly
 18 designate the undersigned as agent for service of process on Claimant, or (ii) constitute a waiver
 19 of any of the following rights of the Claimant:

- 20 (a) Right to have any and all final orders in any and all non-core matters entered only
 after de novo review by United States District Court Judge;
- 21 (b) Right to trial by jury in any proceeding as to any and all matters so triable herein,
 whether or not the same be designated legal or private rights, or in any case, controversy or
 proceeding relating hereto, notwithstanding the designation vel non of such matters as “core
 proceedings” pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such jury trial right is pursuant
 to statute or the United States Constitution;
- 22 (c) Right to have the reference of this matter withdrawn by the United States District
 Court in any matter or proceeding subject only to mandatory or discretionary withdrawal; and
- 23 (d) Other rights, claims, actions, defenses, setoffs, recoupments, or other matters to

1 which this party is entitled under any agreements or at law or in equity or under the United States
2 Constitution.

3 All of the above rights are expressly reserved and preserved unto Claimant without
4 exception and with no purpose of confessing or conceding jurisdiction in any way by this filing
5 or by any other participation in the above-captioned case and ancillary proceedings.

6 DATED this 26 day of May, 2006.

7 GORDON & SILVER, LTD.

8 By: _____
9 GERALD M. GORDON, ESQ.
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